

**Notice of Allowability**

Application No.

09/475,945

Applicant(s)

POTEGA, PATRICK H.

Examiner

Zoila E. Cabrera

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2125

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 4/4/2004.
2. ☒ The allowed claim(s) is/are 80-86,88,93-127 and 164-169.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☒ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date 12/9/03.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |   |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)           |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                   |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|   | 9. <input type="checkbox"/> Other _____   |

**DETAILED ACTION**

***Election/Restrictions***

1. Applicant's election of Group III in the reply filed on November 7, 2002 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

This application is in condition for allowance except for the presence of claims 21-51, 53-77, 87, 89, 90 and 128-163 to inventions non-elected without traverse. Accordingly, claims 21-51, 53-77, 87, 89, 90 and 128-163 have been cancelled.

A courtesy telephone conversation with Mr. Potega to ensure that the claims 21-51, 53-77, 87, 89, 90 and 128-163 were treated without traverse was made on May 4, 2005. Mr. Potega agreed to cancel all the withdrawn or non-elected claims.

**EXAMINER'S AMENDMENT**

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The application has been amended as follows:

A) Cancel claims 21-51, 53-77, 87, 89, 90 and 128-163.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Patrick Potega on May 4, 2005.

B) Please amend the Specification as follows:

Specification, Page 1, before "Field of the Invention" insert - - This application claims priority of a Provisional Application No. 60/114,398 filed December 31, 1998. - -

***Allowable Subject Matter***

3. Claims 80-86, 88, 93-127, 164-169 are allowed.

The following is an examiner's statement of reasons for allowance: The allowability of the claims resides, at least in part, that the closest prior art of record **Takahashi (US 6,150,823)** does not disclose or suggest, alone or in combination the step of:

Regarding independent claim 109, **interfacing means for electrically coupling said power supply to independently and simultaneously access both a previously unknown battery-powered device and an installed battery thereof, said coupling resulting in the power supply being capable of bypassing said battery as a source of power for the power device, without limiting said battery's ability to automatically access said device; and preloading means for temporarily electrically coupling to the battery at least one of one or more substantial resistive loads, said resistive loads being capable of combining in order to vary the coupled load, in combination with the other elements and features of the claimed invention.**

As for independent claim 114, **interconnecting means for electrically coupling said power supply to independently and simultaneously access both a previously unknown battery-powered device and an in situ battery thereof; and preloading**

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**means for temporarily electrically coupling to the battery at least one of one or more substantial resistive loads, said resistive loads being capable of combining in order to vary said load,** in combination with the other elements and features of the claimed invention.

As for independent claim 122, **attaching means for electrically coupling said power supply to independently and simultaneously access a previously unknown battery-powered device and a battery electrically coupled thereto; and detecting means for acquiring battery voltage values, at least one of which is based on temporarily coupling to said battery one or more resistive elements,** in combination with the other elements and features of the claimed invention.

As for independent claim 125, **electrically coupling said power supply to access both a previously unknown battery-powered device and a battery installed therein; and acquiring a value expressing battery voltage sag by temporarily preloading said battery with at least one of one or more substantial resistive loads,** in combination with the other elements and features of the claimed invention.

As for independent claim 164, **interconnecting means at said battery-powered device for electrically coupling a battery and said configurable power supply, so that the power supply accesses first said battery and then said battery-powered device; and preloading means for temporarily electrically attaching a first resistive element at said battery,** in combination with the other elements and features of the claimed invention.


As for independent claim 167, **interconnecting said powered device for receiving power by electrically coupling an installed battery and a configurable power supply thereto, so that the power supply accesses first said battery and then said device; and preloading said battery by temporarily electrically attaching a first resistive element thereto**, in combination with the other elements and features of the claimed invention.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### **Conclusion**

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zoila E. Cabrera whose telephone number is 571-272-3738. The examiner can normally be reached on M-F from 8:00 a.m. to 5:30 p.m. EST (every other Friday). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo Picard, can be reached on (571) 2723749. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-9600.

Zoila Cabrera  
Patent Examiner  
May 4, 2005

  
Paul L. Rodriguez 5/4/05  
Primary Examiner  
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